

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

FRANKLIN R. McDANIEL,

Plaintiff,

vs.

DAVID R. FISCHER, *et al.*,

Defendants.

Case No.: 2:18-cv-01629-GMN-VCF

**ORDER**

Pending before the Court is the Report and Recommendation of United States Magistrate Judge Cam Ferenbach, (ECF No. 6), which recommends that this action be dismissed with prejudice and judgment entered accordingly.

Plaintiff has failed to update his address with the Court pursuant to Local Rule IA 3-1, which provides that failure to comply may result in "...the dismissal of the action, entry of default judgment, or other sanctions as deemed appropriate by the court." D. Nev. Local R. IA 3-1.

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. Local R. IB 3-2. Upon the filing of such objections, the Court must make a de novo determination of those portions to which objections are made. 28 U.S.C. § 636(b)(1); D. Nev. IB 3-2(b). The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. IB 3-2(b). Where a party fails to object, however, the Court is not required to conduct "any review at all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge's report and recommendation where no objections have been filed. *See, e.g.*,

1 *United States v. Reyna–Tapia*, 328 F.3d 1114, 1122 (9th Cir. 2003).

2 Here, no objections were filed, and the deadline to do so has passed.

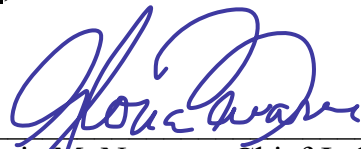
3 Accordingly,

4 **IT IS HEREBY ORDERED** that the Report and Recommendation, (ECF No. 6), is  
5 **ACCEPTED and ADOPTED** in full.

6 **IT IS FURTHER ORDERED** that Plaintiff Franklin R. McDaniel’s case is  
7 **DISMISSED with prejudice**.

8 The Clerk of Court shall close this case and enter judgment accordingly.

9 **DATED** this 2 day of January, 2019.

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13 Gloria M. Navarro, Chief Judge  
14 United States District Court  
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